

**James Madison to James Monroe, February 16, 1804.
Partly in cipher. Transcription: The Writings of James
Madison, ed. Gaillard Hunt. New York: G.P. Putnam's
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TO JAMES MONROE. MAD. MSS.

Washington, Feby. 16, 1804

Dear Sir In a private letter by Mr. Baring I gave you a detail of what had passed here on the subject of *etiquette*. 1 I had hoped that no farther *jars would have ensued* as I still *hope that the good sense* of the *British government* respecting the right of the *government here to fix its routes of intercourse* and the sentiments and *manners of the country to which they ought to be adapted* will give the proper *instructions for preventing like incidents in future*. In the mean time a fresh *circumstance has taken place which calls for explanation*. 2

1 Italics for cypher.

2 It was generally thought at the time that the Merry incident was nursed to imposing proportions by Mrs. Merry. Mrs. Samuel Harrison Smith thus describes her under date January 23, 1804: "She is said to be a woman of fine understanding and she is so entirely the talker and actor in all companies, that her good husband passes quite unnoticed." *The First Forty Years of Washington Society*, 46. Henry Adams, however, gives a different view in his *History of the United States*, ii., 367 *et seq.*

The President desirous of *keeping open for cordial civilities* whatever channels the *scruples of Mr. My* might not have *closed asked me what these were understood to be* and particularly whether he would *come and take friendly and familiar dinners with him*

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*I undertook to feel his pulse thro' some hand that would do it with the least impropriety.
From the information obtained*

I inferred that an invitation would be readily accepted and with the less doubt as he had dined with me (his lady declining) after the offence originally taken. The invitation was accordingly sent and terminated in the note from him to me & my answer herewith inclosed. I need not comment on this display of diplomatic superstition, truly extraordinary in this age and in this country. We are willing to refer it to the personal character of a man accustomed to see importance in such trifles and over cautious against displeasing his government by surrendering the minutest of his or its pretensions What we apprehend is , that with these causes may be mingled a jealousy of our disposition towards England and that the mortifications which he has inflicted on himself are to be set down to that account. In fact it is known that this jealousy particularly since the final adjustment with France exists or is affected in a high degree and will doubtless give its colour to the correspondence of the legation with its government. To apply an antidote to this poison will require your vigilant and prudent attention. It can scarcely be believed that the British Govt will not at once see the folly committed by its representative especially in the last scene of the farce and that it will set him right in that respect. But it may listen with a different ear to suggestions that the U. S. having now less need of the friendship of Britain may be yielding to a latent enmity towards her. The best of all proofs to the contrary would be the confidential communications you possess, if it were not an improper condescension to disclose them for such a purpose. Next to that is the tenor of our measures, and the dictates of our obvious policy; on an appeal to both of which you may found the strongest assurances that the Govt of the U. S. is sincerely and anxiously disposed to cultivate harmony between the two Nations. The President wishes you to lose no oppory. and spare no pains that may be necessary to satisfy the British Administration on this head and to prevent or efface any different impressions which may be transmitted from hence.

I collect that the cavil at the pele mele here established turns much on the alledged degradation of ministers and envoies to a level with chargés d'affaires. The truth is, and I

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have so *told Mr. Merry* that this is not the idea; that the President did not mean to decide anything as to their comparative grades or

importance; that these would be estimated as heretofore; that among themselves they might fix their own ceremonies, and that even at the President's table they might seat themselves in any subordination they pleased. All he meant was that no seats were to be designated for them, nor the order in which they might happen to sit to be any criterion of the respect paid to their respective commissions or Countries. On public occasions, such as an Inaugural speech &c. the Heads of Depts, with foreign Ministers, and others invited on the part of the Govt. would be in the same pêle môle within the space assigned them. It may not be amiss to recollect that under the old Congress, as I understand, and even in the ceremonies attending the introduction of the new Govt the foreign ministers were placed according to the order in which their Govt. acknowledged by Treaties the Independence of the U. States. In this point of view the pêle môle is favorable both to G. B. and to Spain.

I have, I believe already told you that the President has discountenanced the *handing first to the table the wife of a head of department* applying the general *rule of pele mele to that as to other cases.*

The Marquis d'Yrujo joined with *Merry in refusing an invitation from the Prest. & has throughout made a common cause with him* not however approving all the grounds taken by the latter. His case is indeed different and not a little awkward; having acquiesced for nearly three years in the practice agst. which he now revolts. *Pichon being a chargé only*, was *not invited into the pretensions of the two Plent.* He blames their *contumacy* but I find *he has reported the affair to his government* which is not likely to *patronize the cause of Merry & Yrujo.*

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Thornton has also declined an invitation from the Prest. This shews that he unites without necessity with Merry. He has latterly expressed much jealousy of our views founded on little and unmeaning circumstances.

The manners of Mr. M. disgust both sexes and all parties. I have time to add only my affecte. respects.

Mr. Merry has the honor to present his respects to Mr. Madison.

He has just had that of receiving a note from the Presidt of the U S of which the following is a copy.

Thomas Jefferson asks the favor of Mr. Merry to dinner with a small party of friends on monday the 13th at half past three Feb : 9, 04.

It so happens that Mr. Merry has engaged some company to dine with him on that day. Under other circumstances however he would have informed himself whether it is the usage as is the case in most countries for private engagements of every kind to give way to invitations from the chief magistrate of the U. S. and if such were the usage he would not have failed to have alleged it as a just apology for not receiving the company he has invited. But after the communication which Mr Merry had the honor to receive from Mr. Madison on the 12th of last month respecting the alteration which the Presdt. of

the United States had thought proper should take place in regard to the treatment to be observed by the Executive government towards foreign ministers from those usages which had been established by his predecessors and after the reply which Mr. Merry had the honor to make to that notice stating that notwithstanding all his anxiety to cultivate the most intimate and cordial intercourse with every of the government he could not take upon himself to acquiesce in that alteration on account of its serious nature, which he would therefore report to his own government and wait for their instructions upon it, it is necessary that he should have the honor of observing to Mr. Madison that combining the

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terms of the *invitation* above mentioned with the circumstances which have *preceded it* Mr Merry can only understand it to be *addressed to him in his private capacity and not as his Britannic Majestys minister* to the United States. Now, however anxious he may be, as he certainly is, to give effect to *the claim* 1424. 12931 *above expressed of conciliating personally and privately the good opinion and esteem of Mr. Jefferson* he hopes that the latter will feel how *improper it would be on his part to sacrifice to that desire the duty which he owes to his Sovereign* and consequently how impossible it is for him to *lay aside the consideration of his public character.*

1 Not deciphered.

If Mr. Merry should be mistaken as to the meaning of Mr. Jefferson's note and it should prove that the invitation is designed for him in his public capacity he trusts that Mr. Jefferson will feel equally, that it must be *out of his power to accept* it without receiving previously, through the channel of the *Secretary of State the necessary formal assurances of the President's determination to observe towards him those usages of distinction* which have heretofore been shewn by the *executive government of the U. S. to the persons who have been accredited to them as his majesty's ministers.*

Mr. Merry has the honor to request of Mr. Madison to lay this explanation before the President and to accompany it with the strongest assurances of his highest respect and consideration.

Washington, February 9, 1804.

Mr. Madison presents his compliments to Mr. Merry. He has communicated to the President Mr. Merry's note of this morning and has the honor to remark to him that the President's invitation being in the style used by him in like cases had no reference to the points of form which will deprive him of the pleasure of Mr. Merry's company at dinner on Monday next.

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Mr. Madison tenders to Mr. Merry his distinguished consideration.

Washington, Feby. 9 1804.